

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

MARIJO STALLINGS,)	
individually and as legal)	
guardian of Anthony N.)	
Stallings, an incompetent,)	
)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO.
)	2:20cv780-MHT
)	(WO)
DILLON MELVIN,)	
)	
Defendant.)	

JUDGMENT

In accordance with the opinion entered today, it is
ORDERED, ADJUDGED, and DECREED as follows:

(1) The parties' proposed settlement of Marijo Stallings's claims, brought on behalf of her son Anthony N. Stallings, is approved. Judgment is entered in favor of the plaintiff Marijo Stallings as legal guardian of Anthony Stallings, an incompetent, and against defendant Dillon Melvin, in the amount of \$ 60,000. The court finds the terms of the settlement

to be fair, just, and reasonable and in the best interest of Anthony Stallings.

(2) Plaintiff Marijo Stallings's attorneys, Mike Crow and Kent Winingham, are entitled to an attorney's fee in the amount of \$ 21,000, which shall be satisfied out of the judgment awarded to the plaintiff. The court finds that the attorney fee is reasonable under *Peebles v. Miley*, 439 So. 2d 137 (Ala. 1983), and has been duly earned by counsel. The attorneys also incurred \$ 2,212.02 in expenses for the case, which shall also be satisfied out of the judgment awarded to the plaintiff. Lastly, Anthem shall be paid for its lien maintained on any settlement of the claims, which counsel were able to get reduced to \$ 929.64.

(3) The remaining net settlement proceeds of \$ 35,858.34 shall be placed into the escrow account of one of plaintiff Marijo Stallings's counsel pending the establishment of a Special Needs Trust for Anthony Stallings. The trust shall be opened by and through

his mother, natural and legal guardian, and next friend, Marijo Stallings.

(4) The fees and expenses of the court-appointed guardian ad litem, Honorable Karen Mastin Laneaux, are to be paid by defendant Melvin, and not from the amount of the settlement that Anthony Stallings is to receive. The court assumes that the guardian ad litem and defense counsel will make appropriate arrangements for the payment of her fees and expenses forthwith.

(5) Upon payment of the settlement proceeds and approval by this court of the settlement for Anthony Stallings, defendant Melvin shall have discharged his obligations under the settlement and shall be discharged and released from any further liability as to Anthony Stallings arising out of the accident that is the basis of this lawsuit. All claims that were, or possibly could have been, asserted by Anthony Stallings against defendant Melvin are hereby merged in this judgment and forever barred.

No costs are taxed.

This case is not closed.

DONE, this the 2nd day of December, 2021.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE